

LIST OF PENDING RULE CHANGE PETITIONS

Current as of Friday, September 10, 2010

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A. PENDING PETITIONS OPEN FOR COMMENT

1. Arizona Rules of Civil Procedure

R-10-0030: Arbitration Offers of Judgment	Comment Deadline: May 20, 2011	Originally Filed: June 16, 2010
Petitioner: John A. Furlong, General Counsel, State Bar of AZ		
Rule(s) Addressed: Rule 68(h) & Rule 74(g), Arizona Rules of Civil Procedure		
Description: Would clarify that offers of judgment may be made in cases subject to compulsory arbitration or referred to arbitration by agreement.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1225/view/topic/Default.aspx		

2. Arizona Rules of Criminal Procedure

R-09-0037: Change of Judge in Capital Cases	Comment Deadline: December 3, 2010	Originally Filed: December 10, 2009
Petitioner: James Haas and Daniel Patterson, Maricopa County Public Defender's Office		
Rule(s) Addressed: Rule 10.2, Ariz. R. Crim. P.		
Description: Would allow a party in a capital case to request a change of judge when the case is administratively reassigned to a new trial judge.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/3/postid/1022/view/topic/Default.aspx		

R-10-0026: Appointment of Mental Health Experts	Comment Deadline: May 20, 2011 (Adopted on emergency basis, effective July 29, 2010, with comment period to follow)	Originally Filed: June 11, 2010
Petitioner: David K. Byers, Administrative Director, AOC		
Rule(s) Addressed: Rule 11.3, Arizona Rules of Criminal Procedure		
Description: Would conform Rule 11.3 to recent amendments to A.R.S. section 13-4505 regarding the appointment of mental health experts for competency examinations.		

Link to Petition and any comments:

<http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1220/view/topic/Default.aspx>

3. Arizona Rules of Evidence

There are no pending petitions in this category that are open for comment.

4. Rules of the Supreme Court

R-10-0029: Designation of Day after Thanksgiving as Holiday	Comment Deadline: May 20, 2011 (Adopted on emergency basis, effective July 29, 2010, with comment period to follow)	Originally Filed: June 22, 2010
Petitioner: David K. Byers, Administrative Director, AOC		
Rule(s) Addressed: Rule 94(b), Rules of the Supreme Court		
Description: Would conform the rule to statutory changes authorizing the presiding judge of the county to close the court on the day after Thanksgiving and keep the court open on Columbus Day, if the county board of supervisors has adopted a resolution designating the day after Thanksgiving as a legal holiday in place of Columbus Day.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1228/view/topic/Default.aspx		
R-10-0031: Classifications Changes for Professional Misconduct	Comment Deadline: May 20, 2011	Originally Filed: June 16, 2010
Petitioner: John Furlong, General Counsel, State Bar of AZ		
Rule(s) Addressed: ER 8.4, and Rule 42, Rules of the Supreme Court		
Description: Would make bias against certain classifications of people professional misconduct, and would add the classification of "gender identity or expression" to the enumerated classifications.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1226/view/topic/Default.aspx		

R-10-0032: Citation of non-Arizona "unpublished" decisions	Comment Deadline: May 20, 2011	Originally Filed: August 12, 2010
Petitioner: Thomas Hudson		
Rule(s) Addressed: Rule 111, Arizona Rules of the Supreme Court, and Rule 28, Arizona Rules of Civil Appellate Procedure		
Description: Would permit the citation of non-Arizona "unpublished" decisions.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1304/view/topic/Default.aspx		

5. Arizona Rules of Civil Appellate Procedure

R-10-0032: Citation of non-Arizona "unpublished" decisions	Comment Deadline: May 20, 2011	Originally Filed: August 12, 2010
Petitioner: Thomas Hudson		
Rule(s) Addressed: Rule 111, Arizona Rules of the Supreme Court, and Rule 28, Arizona Rules of Civil Appellate Procedure		
Description: Would permit the citation of non-Arizona "unpublished" decisions.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1304/view/topic/Default.aspx		

6. Rules of Procedure for Special Actions

There are no pending petitions in this category that are open for comment.

7. Arizona Rules of Family Law Procedure

There are no pending petitions in this category that are open for comment.

8. Arizona Rules of Protective Order Procedure

R-10-0025: Animals and Orders of Protection	Comment Deadline: May 20, 2011 (Adopted on emergency basis, effective July 29, 2010, with comment period to follow)	Originally Filed: June 11, 2010
Petitioner: David K. Byers, Administrative Director, AOC		
Rule(s) Addressed: Rule 6, Arizona Rules of Protective Order Procedure		
Description: Would conform Rule 6(C) to the recent amendment to A.R.S. 13-3602(G), authorizing the inclusion of animals within the terms of an order of protection.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1218/view/topic/Default.aspx		

9. Arizona Rules of Probate Procedure

There are no pending petitions in this category that are open for comment.

10. Rules of Procedure for the Juvenile Court

R-10-0028: Dependency, Guardianship, and Termination of Parental Rights	Comment Deadline: May 20, 2011 (Adopted on emergency basis, effective July 29, 2010, with comment period to follow)	Originally Filed: June 14, 2010
Petitioner: David K. Byers, Administrative Director, AOC		
Rule(s) Addressed: Rules 38, 40, 47.1, 50, 52 and 56, Rules of Procedure for the Juvenile Court		
Description: Would conform the rules to statutory changes, effective July 29, 2010, relating to dependency, guardianship, and termination of parental rights.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1223/view/topic/Default.aspx		

11. Arizona Tax Court Rules of Practice

R-10-0024: Small Tax Cases	Comment Deadline: May 20, 2011	Originally Filed: April 14, 2010
Petitioner: Hon. Dean M. Fink, Presiding Judge, Arizona Tax Court		
Rule(s) Addressed: Rules 6, 18, 19, 20, and 24, Arizona Tax Court Rules of Practice		
Description: Would amend Rule 24 to extend the time period for trial in small tax cases and would make technical amendments in other rules.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/23/postid/1139/view/topic/Default.aspx		

12. Rules of Procedure in Traffic Cases and Boating Cases

R-10-0027: Display of Social Security Number on Traffic Ticket	Comment Deadline: May 20, 2011 (Adopted on emergency basis, effective July 29, 2010, with comment period to follow)	Originally Filed: June 11, 2010
Petitioner: David K. Byers, Administrative Director, AOC		
Rule(s) Addressed: Appendix A, Arizona Rules of Procedure in Traffic and Boating Cases		
Description: Would conform the violator/defendant copy of the Arizona Traffic Ticket and Complaint to recent amendments to A.R.S. section 28-1557 concerning the display of a social security number.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/1/postid/1221/view/topic/Default.aspx		

13. Rules of Procedure in Civil Traffic and Civil Boating Violation Cases

There are no pending petitions in this category that are open for comment.

14. Uniform Rules of Procedure for Commissions on Appellate & Trial Court Appointments

There are no pending petitions in this category that are open for comment.

B. PENDING PETITIONS NOT OPEN FOR COMMENT

1. Arizona Rules of Civil Procedure

There are no pending petitions in this category.

2. Arizona Rules of Criminal Procedure

R-10-0004: Paragraph Numbering in Paper-Filed Documents	Comment Deadline: May 20, 2010	Originally Filed: January 6, 2010
Petitioner: Staff Attorneys' Office, Arizona Supreme Court		
Rule(s) Addressed: Rule 31.12, Ariz. R. Crim. P. and Rule 6(c), Ariz. R. Civ. App. P.		
Description: Would require paragraph numbers in paper-filed documents, as required by Rule 124(f), Rules of the Supreme Court, for electronically-filed documents.		
http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/3/postid/1044/view/topic/Default.aspx		

3. Arizona Rules of Evidence

There are no pending petitions in this category.

4. Rules of the Supreme Court

R-08-0016: Indian Law on Bar Exam	Past Comment Deadline: May 20, 2009	Originally Filed: May 7, 2008
Petitioner: State Bar of AZ		
Rule(s) Addressed: Rule 35(b), Rules of the Supreme Court		
Description: Would include Indian law as one of the subject areas that may be tested on the Arizona Bar Examination.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/7/postid/535/view/topic/Default.aspx		

R-09-0038: Limited Practice of Law by Professors and Students	Comment Deadline: May 20, 2010	Originally Filed: December 18, 2009
Petitioner: Eugene Clark and Michael Yarnell, The Phoenix School of Law		
Rule(s) Addressed: Rule 38(d), Rules of the Supreme Court		
Description: Would reorganize and clarify provisions relating to limited practice of law by clinical law professors and qualified law students.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/7/postid/1025/view/topic/Default.aspx		

R-10-0019: State Bar Admissions	Comment Deadline: May 20, 2010	Originally Filed: January 11, 2010
Petitioner: David K. Byers, Administrative Director, AOC		
Rule(s) Addressed: Rules 34-37, Rules of the Supreme Court		
Description: Would reflect that admission to the bar may be either by examination or on motion; would allow use of testing products developed by the national conference of bar examiners; would clarify that applicants for admission on motion are not eligible for conditional admission; and would incorporate and clarify time limitations for admission on motion and admission by examination.		
Link to Petition and any comments: http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/7/postid/1062/view/topic/Default.aspx		

5. Arizona Rules of Civil Appellate Procedure

R-10-0004: Paragraph Numbering in Paper-Filed Documents	Comment Deadline: May 20, 2010	Originally Filed: January 6, 2010
Petitioner: Staff Attorneys' Office, Arizona Supreme Court		
Rule(s) Addressed: Rule 6(c), Ariz. R. Civ. App. P. and Rule 31.12, Ariz. R. Crim. P.		
Description: Would require paragraph numbers in paper-filed documents, as required by Rule 124(f), Rules of the Supreme Court, for electronically-filed documents.		
http://azdnn.dnnmax.com/AZSupremeCourtMain/AZCourtRulesMain/CourtRulesForumMain/CourtRulesForum/tabid/91/forumid/3/postid/1044/view/topic/Default.aspx		

6. Rules of Procedure for Special Actions

There are no pending petitions in this category.

7. Arizona Rules of Family Law Procedure

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